

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

UNITED STATES OF AMERICA                     )  
   )  
v.   )       No. 3:10-CR-109  
   )  
CHARLES LYNN CARPENTER                     )

**ORDER**

In January 2012, the Honorable Thomas W. Phillips sentenced the defendant to a 235-month term of imprisonment for manufacturing methamphetamine. The defendant is presently housed at FCI Forrest City Low with a scheduled release date of May 13, 2027. *See* Bureau of Prisons, <https://www.bop.gov/inmateloc/> (last visited Dec. 17, 2020).

Now before the Court is the defendant's *pro se* motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A)(i) which is opposed by the United States. [Docs. 67, 71]. Section 3582(c)(1)(A)(i) allows district courts to consider prisoner motions for sentence reduction upon a finding of "extraordinary and compelling reasons." However, such motions cannot be entertained by a district court until "after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier." 18 U.S.C. § 3582(c)(1)(A).

As argued by the United States, nothing in the current record indicates that the defendant has exhausted his administrative remedies as required by § 3582(c)(1)(A). The

defendant has not documented, nor does he even allege, compliance with that mandatory exhaustion requirement.

Because the defendant has not documented his exhaustion of administrative remedies, and because the United States objects on that ground, the Court lacks authority to consider the present motion at this time. *See United States v. Alam*, 960 F.3d 83 (6<sup>th</sup> Cir. 2020). The defendant's motion [doc. 67] is accordingly **DENIED AND DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED.**

ENTER:

s/ Leon Jordan  
United States District Judge